

# State of South Dakota

## SEVENTY-EIGHTH SESSION LEGISLATIVE ASSEMBLY, 2003

400I0312

### SENATE BILL NO. 39

Introduced by: The Committee on Education at the request of the Department of Education  
and Cultural Affairs

1 FOR AN ACT ENTITLED, An Act to revise the assessments required in public schools, the  
2 grades to be assessed, and to declare an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-3-55 be amended to read as follows:

5 13-3-55. Every public school district shall annually administer the same ~~national~~  
6 ~~norm-referenced academic achievement test to all students in grades two, four, eight, and eleven,~~  
7 ~~and every~~ assessment to all students in grades three to eight, inclusive, and in grade eleven. The  
8 assessment shall measure the academic progress of each student. Every public school district  
9 shall annually administer to all students in grades five and nine an achievement test to assess  
10 writing skills. ~~In addition, every school district shall administer the same criterion-referenced~~  
11 ~~academic achievement test, once in the fall semester and once again in the spring semester, to~~  
12 ~~all students in grades three, six, and ten. The criterion-referenced tests shall be designed by the~~  
13 ~~state. All of the tests~~ The assessment instruments shall be provided by the Department of  
14 Education and Cultural Affairs ~~and shall assess proficiency in meeting state standards.~~ The tests  
15 shall be administered within timelines established by the Department of Education and Cultural



1 Affairs by rules promulgated pursuant to chapter 1-26 starting in the spring of the ~~2001-2002~~  
2 2002-2003 school year. Each state-designed test ~~for each grade level to be tested shall be a single~~  
3 ~~statewide criterion-referenced test, which shall be highly correlated with the state's graduation~~  
4 ~~requirements, course guidelines, and academic content standards. The requirements of this~~  
5 ~~section pertaining to criterion-referenced tests to be administered to students in grades three, six,~~  
6 ~~and ten do not apply to students who are receiving alternative instruction pursuant to § 13-27-3.~~  
7 The South Dakota Board of Education may promulgate rules pursuant to chapter 1-26 to  
8 provide for administration of all assessments.

9       Section 2. Whereas, this Act is necessary for the support of the state government and its  
10 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full  
11 force and effect from and after its passage and approval.